UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF NEW YORK

EASTERN REGIONAL MEDICAL CENTER, INC. and CANCER TREATMENT CENTERS OF AMERICA PROFESSIONAL CORPORATION OF PENNSYLVANIA, P.C.,

Plaintiffs,

v.

NEFTALI SANTOS,

Defendant.

Civil Action No. 1:13-cv-4680-SLT-VVP

JUDGMENT

AND NOW, this ____ day of ____________, 2013, upon consideration of the Motion of Plaintiffs, Eastern Regional Medical Center, Inc. and Cancer Treatment Centers of America Professional Corporation of Pennsylvania, P.C. (together "Plaintiffs"), for Clerk's Entry of Default Judgment Against Defendant, Neftali Santos ("Defendant"), said motion is GRANTED, and judgment is therefore ENTERED in favor of Plaintiffs and against Defendant in the amount of $143,335.62.

Plaintiffs are further entitled to recover post-judgment interest at the judgment rate in accordance with 28 U.S.C. § 1961. Interest shall be calculated daily from the date of the entry of the Judgment to the date of payment, at a rate equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the date of the Judgment.

____
CLERK OF COURT

UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF NEW YORK

EASTERN REGIONAL MEDICAL CENTER, INC. and CANCER TREATMENT CENTERS OF AMERICA PROFESSIONAL CORPORATION OF PENNSYLVANIA, P.C.,

Plaintiffs,

v.

NEFTALI SANTOS,

Defendant.

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REQUEST FOR CLERK'S ENTRY OF DEFAULT JUDGMENT
PURSUANT TO FEDERAL R. CIV. P. 55(b)(1) and LOCAL RULE 55.2(a)

TO THE CLERK OF THE COURT:

Plaintiffs, Eastern Regional Medical Center, Inc. and Cancer Treatment Centers of America Professional Corporation of Pennsylvania, P.C. (together "Plaintiffs"), by counsel and in accordance with Federal Rule of Civil Procedure 55(b)(1), hereby request that the Clerk enter a default judgment against Defendant, Neftali Santos ("Defendant") in the amount of $143,335.62 and, in support thereof, state as follows:

1. Plaintiffs filed a Complaint in the above-captioned action against Defendant on August 19, 2013. See Dkt. No. 1 (attached hereto as Exhibit 1).

2. Plaintiffs properly served Defendant with the Summons and Complaint on August 27, 2013. See Dkt. No. 5 (attached hereto as Exhibit 2).

3. The time within which Defendant had to answer, plead or otherwise respond to the Complaint has expired, and Defendant has not served on Plaintiffs any such answer or response or sought an extension of the response time.

4. Pursuant to Federal Rule of Civil Procedure 55(a) and Local Rule 55.1, on September 18, 2013, Plaintiffs filed a Request for Entry of Default against the Defendant, along with an Affidavit of Antranig Garibian, Esq. ("Counsel's Affidavit"). The Request for Entry of Default and supporting Affidavit are collectively attached hereto as Exhibit 3.

5. The clerk entered default on October 24, 2013. See Dkt. No. 7.

6. Pursuant to Rule 55(b)(1) of the Federal Rules of Civil Procedure and Local Rule 55.2(a), Plaintiffs now request that the clerk enter judgment in their favor and against Defendant, Neftali Santos, for a sum certain.

7. As set forth in the Complaint, Plaintiffs seek monetary damages pursuant to contracts with the Defendant.

8. The amounts due, as indicated in the Affidavit of Antranig Garibian in Support of Plaintiffs' Motion for Clerk's Entry of Default Judgment, attached hereto as Exhibit 4, are justly due and owing.

9. Plaintiffs are further entitled to recover post-judgment interest at the judgment rate in accordance with 28 U.S.C. § 1961. Interest shall be calculated daily from the date of the entry of the Judgment to the date of payment, at a rate equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the date of the Judgment.

10. A proposed form of Judgment reflecting the relief sought is submitted herewith.

WHEREFORE, Plaintiffs, Eastern Regional Medical Center, Inc. and Cancer Treatment Centers of America Professional Corporation of Pennsylvania, P.C., request that the Clerk enter Default Judgment against Defendant, Neftali Santos, in favor of Plaintiffs in the amount of $143,335.62.

Respectfully submitted,

Antranig Garibian, Esquire
STRADLEY RONON STEVENS & YOUNG LLP
100 Park Avenue, Suite 1614
New York, NY 10017
(215) 564-8080 (phone)
(215) 564-8120 (fax)

Attorneys for Plaintiffs, Eastern Regional Medical Center, Inc. and Cancer Treatment Centers of America Professional Corporation of Pennsylvania, P.C.

Dated: November 26, 2013

CERTIFICATE OF SERVICE

I, Antranig Garibian, hereby certify that I caused a true and correct copy of the foregoing Plaintiffs' Request for Entry of Default Judgment Against Defendant to be filed with the Clerk via the ECF system on November 27, 2013. The document is available for reviewing and downloading on the ECF system. I further certify that I served a true and correct copy of the foregoing via Certified Mail, Return Receipt Requested, upon the following on November 27, 2013:

Neftali Santos
13033 236th Street
Rosedale, NY 11422-1217

[signature]
Antranig Garibian, Esq.

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